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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,993	12/31/1998	M. HASSAN PIRASTEH	1246-043	4239

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STANDLEY & GILCREST LLP
495 METRO PLACE SOUTH
SUITE 210
DUBLIN, OH 43017

EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 02/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/223,993

Applicant(s)

PIRASTEH ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 1** is rejected under 35 U.S.C. 103(a) as being unpatentable over Lalonde et al. U. S. Patent No. 5,283,731 (hereinafter Lalonde) in view of Norstedt U. S. Patent No. 4,586,134.

Art Unit: 2645

Regarding **claim 1**, Lalonde teaches a system for call processing, comprising:
a telephone call receiving switch (see 12 on FIG. 1);
an IVR adapted to perform an audio script (see column 3, lines 64-66), said IVR
in electronic communication with said switch (see 22 on FIG. 1).

a server computer in electronic communication with said IVR (see 44 on FIG. 1);
a network structure in electronic communication with said IVR and said server
(see 20 on FIG. 1).

Lalonde did not disclose a port sharing data interface program.

However, Norstedt teaches a port sharing data interface processing (DIP)
program in operation with said IVR, said program adapted to enable said script to be
performed on multiple ports of said IVR (see column 13, lines 48-54) [All terminals may
used any ports that is ports sharing].

It would have been obvious to one of the ordinary skill in the art at the time the
invention was made to modify Lalonde by adding the a port sharing data interface
program as taught by Norstedt.

The modification will allow the IVR to have a port sharing data interface program
such that the software would establish a plurality of parallel session between each
primary port.

3. **Claims 2-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lalonde in view of Norstedt and further view of Perrone U. S. Patent No. 6,157,705.

Regarding **claim 2**, Lalonde and Norstedt as applied to **claim 1** above differ from **claim 2** in that they did not disclose the DIP dynamically allocates scripts to ports.

However, Perrone teaches a system, wherein the DIP dynamically allocates scripts to ports (see column 9, lines 9-17).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Lalonde and Norstedt by further adding the DIP dynamically allocates scripts to ports as taught by Perrone.

The modification will allow the data interface processing dynamically allocates scripts to ports such that the system to play other audible information to the caller.

Regarding **claim 3**, Lalonde and Norstedt as applied to **claim 1** above differ from **claim 3** in that they did not disclose the system manages port state before, during, and after a call.

However, Perrone teaches a system, wherein the system manages port state before, during, and after a call (see column 6, lines 54-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Lalonde and Norstedt by further adding the system manages port state before, during, and after a call as taught by Perrone.

The modification will allow the system to manage the port state before, during, and after a call such that the telephony port supervisor would control the ports interfaces.

Regarding **claim 4**, Lalonde and Norstedt as applied to **claim 1** above differ from **claim 4** in that they did not disclose the single list of DNIS numbers resides at said IVR.

However, Perrone teaches a system, wherein a single list of DNIS numbers resides at said IVR (see column 8, lines 12-15).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Lalonde and Norstedt by further adding the single list of DNIS numbers resides at said IVR as taught by Perrone.

The modification will allow the single list of DNIS numbers resides at said IVR such that the speech recognizer would lead to the same resource or group of resource.

4. **Claim 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Csaszar et al. U. S. Patent No. 5,970,124 (hereinafter Csaszar) in view of Norstedt.

Csaszar teaches a system comprising:

a plurality of telephone call receiving switches (see column 8, lines 12-13) [Each school have is own telephone switch];

a plurality of multiple port IVR's adapted to play a plurality of scripts, in electronic communication with said switches (see column 8, lines 10-12) [Each IVR has an application to play audio scripts for the student grade and carry multiple ports];

at least one server computer in electronic communication with said IVR's (see column 5, lines 46-51);

a network structure facilitating electronic communication between said IVR's and said switches and said at least one server (see column 8, lines 31-33) [The Ads server is communicating to the IVR for advertisement scripts].

Csaszar did not disclose a port sharing data interface processing program.

However, Norstedt teaches a port sharing data interface processing (DIP) program in operation with said IVR, said program adapted to enable said script to be performed on multiple ports of said IVR (see column 13, lines 48-54) [All terminals may used any ports that is ports sharing].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Csaszar by adding the a port sharing data interface program as taught by Norstedt.

The modification will allow the IVR to have a port sharing data interface program such that the software would establish a plurality of parallel session between each primary port.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cave et al. is cited for a statistical diagnosis in IVR telephone system (see FIG. 1).


Hanson et al. is cited for voice mail with embedded executable responses (see FIG. 1).

MacMillan, Jr. et al. for an integrated voice messaging/voice response system (see FIG. 1).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
February 8, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600



Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.